


OCT 27 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK


UNITED STATES OF AMERICA)	Criminal No. 5:02cr30041-4
)	
v.)	<u>2255 FINAL ORDER</u>
)	
WILLIAM PETTIS)	By: Samuel G. Wilson
)	United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby **ORDERED** and **ADJUDGED** that Pettis' 28 U.S.C. § 2255 motion is **DISMISSED** without prejudice as successive; and this action is **STRICKEN** from the active docket of the court.

Further, finding that Pettis has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

The Clerk of the Court is directed to send a certified copy of this Order and the accompanying Memorandum Opinion to the petitioner.

ENTER: This 26th day of October, 2010.



United States District Judge